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FEDERAL COMMUNICATIONS COMMISSION
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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Southern New England Telephone Company)
Request for Extension or Limited Waiver of)
Loop Qualification Information Implementation)
Schedule)

CC Docket No. 96-98

**Petition of Southern New England Telephone Company
for Limited Waiver of Loop Qualification Implementation Schedule**

In the *UNE Remand Proceeding*,¹ the Federal Communications Commission (Commission) established a May 17, 2000 deadline for providing access to loop qualification information via an electronic interface. The Southern New England Telephone Company (SNET), pursuant to section 47 C.F.R. § 1.3, respectfully requests a limited extension or waiver of the May 17, 2000, deadline. Under section 1.3, the Commission may grant a waiver for "good cause shown."² This means that the Commission may waive a rule where "special circumstances warrant a deviation from the general rule and such a deviation will serve the public interest."³

As shown below, special circumstances warrant an extension of the deadline for providing electronic access to loop qualification information in SNET's region. Currently, SNET has a very limited ability to provide loop qualification information on a mechanized basis. SNET's parent company, SBC Communications Inc. (SBC), is in the process of creating all the necessary systems and interfaces required for electronic access to loop qualification information

¹ *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 99-238, paras. 429, 526 (rel. Nov. 5, 1999) ("*UNE Remand Order*").

² 47 C.F.R. § 1.3.

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³ *Northeast Cellular Telephone Co., L.P. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990), citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), cert. denied, 409 U.S. 1027 (1972).

and for making that access available to requesting carriers. Absent a waiver, however, SNET does not have enough time to complete implementation and appropriate testing to ensure that its electronic loop qualification system is sufficiently robust to accommodate the needs of requesting carriers.

In support of this Petition, SNET incorporates the Declaration of Marianne B. O'Neil, which is attached as Exhibit 1.

Discussion

In the *UNE Remand Order*, the Commission determined that an incumbent local exchange carrier (ILEC) must provide requesting carriers nondiscriminatory access to loop qualification information.⁴ Specifically, the Commission required an ILEC to provide manual access to such information if the ILEC itself has manual access, and electronic access to the extent the ILEC's employees have electronic access.⁵ The Commission generally required ILECs to comply with this requirement within 120 days after publication of the *UNE Remand Order* in the Federal Register (that is, by May 17, 2000).⁶

SNET is an ILEC and a wholly owned subsidiary of SBC. Unlike SBC's other ILEC subsidiaries, SNET has never offered retail DSL services.⁷ Therefore, once the *UNE Remand Order* was issued, SNET had to develop the systems and interfaces required for electronic access

⁴ *UNE Remand Order*, FCC 99-238 at para. 427.

⁵ *Id.* at para. 429.

⁶ *Id.* at para. 526.

⁷ SNET began offering XDSL loops in August 1999. Loop qualification is offered on a manual basis.

to loop qualification from scratch. While SBC's other ILECs will meet the May 17 deadline,⁸ SNET is unable to deploy the necessary systems and software to establish an electronic interface for the retrieval of loop qualification information by that date. The earliest SNET can accomplish this deployment is July 22, 2000.

SNET utilizes the Loop Facilities and Control System (LFACS) system. This system is used for the assignment of all loop facilities, including POTS, Special circuits, and ADSL services. Currently, LFACS contains loop make-up information consisting of the location, type, and number of bridge taps, and load coils, as well as the length and gauge of the loop. LFACS, when initially designed, was intended to provide this information on a mechanized basis for only special circuits. LFACS is estimated to contain loop makeup for only 5-10% of the loop assignments. Therefore, the majority of SNET's loop information supports special services. The remaining circuit information is obtained manually and posted in LFACS as required for new service requests.

Since the *UNE Remand Order* was adopted, SNET has expended considerable time and effort to modify its OSS systems to comply with the requirements of the *Order*, including, *inter alia*, the new loop qualification information requirement. It is developing a series of upgrades to its Mechanized Service Access Platform (MSAP) — its EDI gateway, which, among other things, will provide the interface for CLECs to obtain loop qualification information via a mechanized process.

⁸ For example, SNET's affiliates in Southwestern Bell Telephone's, Ameritech's and Pacific Bell's regions will be able to comply with the loop qualification information requirement in the *UNE Remand Order* by May 17.

The Commission recognized SNET's need for additional time to implement these changes in the Merger conditions.⁹ Specifically,

- in paragraph 20(a) the Commission noted "[i]n the SBC/Ameritech Service Area within Connecticut, [non-discriminatory, electronic pre-order OSS access to the theoretical loop length on an individual basis] shall be made available by no later than 22 months after the Merger Closing Date ...[.]"¹⁰
- in paragraph 15(c) the Commission noted that "[i]n Connecticut ... enhancements to the existing Datagate or EDI interfaces shall be developed and deployed in conjunction with the introduction of the uniform Application to application OSS interfaces described in Paragraph 26"¹¹
- in paragraph 26, the Commission stated that SBC/Ameritech will deploy the uniform application to application OSS interfaces "within Connecticut within 30 months of the Merger Closing Date"¹²

SNET was given extra time because the Commission recognized that SBC had to enhance and deploy these systems for SNET for the first time. SNET is relying on SBC to provide system support to help facilitate an effective and efficient implementation. SBC developed and continues to deploy several upgrades to the Southwestern Bell Telephone

⁹ *In re Applications of AMERITECH CORP., Transferor, SBC COMMUNICATIONS INC., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, Memorandum Opinion and Order, FCC 99-279, paras. 15(a), 15(c), 20, 26 (rel. Oct. 8, 1999) ("Merger").

¹⁰ *Merger*, para. 20

¹¹ *Id.* at para. 15(c)

¹² *Id.* at para. 26

Company (SWBT) and Pacific Bell Telephone Company (Pacific Bell) OSS to comply with the loop qualification information requirement in the *UNE Remand Order*. These upgrades form the foundation of SNET's loop qualification information system. Once SWBT and Pacific Bell successfully implement the upgrades, SBC can begin to modify, enhance and implement the upgrades for SNET's systems.

SBC released its first upgrade on March 18 and expects to release two additional upgrades on April 29 and May 17. After implementing the March 18 release, SWBT and Pacific Bell regions discovered certain system problems, which led to data inconsistencies and system outages. Because these problems affected the accuracy of the data, SBC expended considerable time and effort to determine the source of these problems and make necessary modifications to correct them. SNET's loop qualification information system will be based on the systems deployed in SWBT's and Pacific Bell's regions. For this reason, SBC must ensure that the problems experienced by SWBT and Pacific Bell are corrected before making additional modifications to meet SNET's requirements.

Based on the foregoing, SNET's implementation schedule is as follows:

- On May 1, 2000, SNET will deploy MSAP Release 2.0, which will upgrade SNET's MSAP to: (1) implement the new standards in Local Service Ordering Guide B Version 4 (LSOG 4) for preordering and ordering; (2) provide ordering capability for UNE-P (UNE-Platform) [referred to as UNE-RS (Rebundled Services) by SNET]; and (3) provide trouble administration for a variety of complex services.
- On May 27, 2000, SNET will deploy another MSAP release that will enable mechanized ordering for line sharing. This release will also provide flow-through for UNE-P [RS] orders.

- On July 1, 2000, SNET will deploy a release that will enable MSAP to track 20 performance measures included in the Commission's order approving the merger of SBC and Ameritech.

Although SNET is modifying its OSS interfaces to provide CLECs various UNE functionalities, many of the underlying systems necessary to provide the required information electronically are new to SNET. The specific changes SBC must put in place include, but are not limited to:

- 1) developing and implementing SBC's loop qualification system, version 2.0 for SNET;
- 2) configuring SNET's front end systems to access version 2.0¹³;
- 3) programming and installing access to SNET's systems through Datagate;
- 4) configuring access between SNET's LFACS and Datagate and loop qualification version 2.0; and
- 5) installing access to a system administrator.¹⁴

As a result of the foregoing, SNET is unable to implement a robust, reliable loop qualification information system by May 17, 2000. Based on the work done to-date, SNET will need until July 22, 2000, to deploy such a system.

Granting SNET's request will have no discriminatory effects on requesting carriers. SNET does not itself offer retail DSL service. All requesting carriers — including SBC's data affiliate — are provided the loop qualification information on a manual basis. In addition, SNET has attempted to expedite the availability of DSL loops with its recent filing to the Connecticut DPUC. In that filing SNET modified its tariff language by proposing to waive the loop


¹³ SNET's front-end systems of W-CIWin and MSAP are different from SWBT's and Pacific Bell's. SWBT's and Pacific Bell's systems are EASE, EDI, DATAGATE and VERIGATE.

¹⁴ Other system modifications must either be newly created or require additional programming.

qualification, upon a request from a CLEC, if a determination can be made through the pre-qualification that the DSL Capable Loop is less than 12,000 feet. This tariff change became effective on April 13, 2000. Finally, on March 27, 2000, SNET deployed a mechanized loop pre-qualification system in W-CIWin — SNET's proprietary interface. W-CIWin provides CLEC's with theoretical loop length, which greatly diminishes the need for specific loop length data.

In light of these specific facts and circumstances, good cause exists to grant SNET a limited waiver or extension — until July 22, 2000 — of the May 17, 2000, deadline for providing electronic access to loop qualification information in SNET's region. SNET, therefore, respectfully request that this Petition for Limited Waiver be granted.

Respectfully submitted,



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April 28, 2000

5. SNET's inability to meet the May 17 deadline is not the result of intentional delay.

SNET has devoted considerable time and resources to this project. As explained in the Petition, SNET cannot meet the May 17 deadline because (a) SNET only began developing its systems at the time of the *UNE Remand Order* and (b) problems experienced by SBC in deploying similar systems for SBC's other ILECs.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of April 2000.

Maurice B O'Neil